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870  
Attorney Docket No. 26448-520

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Reinhard, et al.  
SERIAL NUMBER: 10/824,848 EXAMINER: Not Yet Assigned  
FILING DATE: April 15, 2004 ART UNIT: 1614  
FOR: DIHYDROTHIAZINE PRODRUGS OF THIAZOLIUM AGENTS

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages);
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Cited References A1-A5; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 26448-520. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

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Ivor R. Elrifi, Reg. No. 39,529  
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Dated: July 9, 2004



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**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449. The order of presentation of the references should not be construed as an indication of the importance of the references.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the above-identified case. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: **Reinhard, et al.**  
U.S.S.N.: **10/824,848**

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 26448-520.

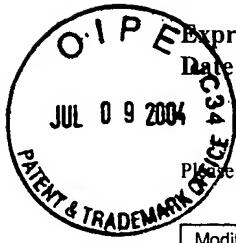
Respectfully submitted,

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Modified Form 1449/PTO		Application Number	10/824,848
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (use as many sheets as necessary)		Filing Date	04/15/2004
		First Named Inventor	Reinhard
		Group Art Unit	1614
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	26448-520

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1	5,853,703	12/29/98	Cerami et al.			01/18/96
	A2	6,440,749	08/27/02	Cerami et al.			12/22/99

U.S. PUBLISHED APPLICATION DOCUMENTS							
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A3	2002/0068729	06/06/02	Egan et al.			07/13/01
	A4	2002/0160993	10/31/02	Egan et al.			12/31/01
	A5	2004/0034074	02/19/04	Cerami et al.			04/18/03

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	No

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS							
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.					

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

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